

## **REMARKS**

This amendment responds to the Office Action dated December 5, 2007, in which the Examiner rejected claims 40, 87, 92, 99, 105, 113, and 121 under 35 U.S.C. § 112, second paragraph; rejected claims 87-90 and 99-103 under 35 U.S.C. § 102(e); and rejected claims 40-59, 91-98 and 104-126 under 35 U.S.C. § 103.

As indicated above, the claims have been amended in order to more particularly point and distinctly claim the subject matter which the Applicants regard as the invention. Applicants believe the Examiner is misinterpreting the claims since image data representing images of reduced, less than normal size are used consistently throughout the claims. The terminology is not changed pre-transmission and post-reception as suggested by the Examiner. Applicants respectfully request the Examiner withdraws the rejection to the claims under 35 U.S.C. § 112, second paragraph.

Claims 87-90 and 99-103 were rejected under 35 U.S.C. § 103 as being anticipated by *Lawler, et al.* (U.S. Patent No. 5,805,763).

*Lawler, et al.* appears to disclose a data server 34 storing program scheduled information including identifying what program is available on a given channel at a given time, and may also contain a brief description of the program, the stars of the program, a link to a video preview, whether the program is closed captioned, whether the program is stereo or a variety of other information (Col. 4, lines 35-46). Nothing in *Lawler, et al.* shows, teaches or suggests reduced size video images of a corresponding program such that the reduced sized video images have a display size less than the display size for displayable data of the programs as claimed in claims 87 and 99. Rather, *Lawler, et al.* only discloses text information and a link to a video preview.

Additionally, *Lawler, et al.* appears to disclose multiplexing digital information from a digital modulator system 38 and analog signals representing standard analog television frequencies (Col. 5, lines 4-28). Nothing in *Lawler, et al.* shows, teaches or suggests superimposing reduced sized video images of corresponding programs in a single frame format on program data constituting video and audio data of at least one program currently being transmitted as claimed in claims 87 and 99. Rather, *Lawler, et al.* merely discloses multiplexing digital information with analog television frequency signals.

Since nothing in *Lawler, et al.* shows, teaches or suggests superimposing reduced size video images of a corresponding program on program data of a program currently being transmitted as claimed in claims 87 and 99, Applicants respectfully request the Examiner withdraws the rejection to claims 87 and 99 under 35 U.S.C. § 102(e).

Claims 88-90 and 100-103 recite additional features. Applicants respectfully submit that claims 88-90 and 100-103 would not have been anticipated by *Lawler, et al.* within the meaning of 35 U.S.C. § 102(e), at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 88-90 and 100-103 under 35 U.S.C. § 102(e).

Claims 40-52, 57-59, 92-99, 105-110, 112-118, and 120-126 were rejected under 35 U.S.C. § 103 as being unpatentable over *Lawler, et al.*, in view of *Marshall, et al.* (U.S. Patent No. 5,502,504).

*Lawler, et al.* appears to disclose a program grid 80 containing a number of program tiles 88 each corresponding to a program and is provided with a label 89 to identify the program (Col. 7, lines 44-46). Alternatively, it may be desirable to display icons within the program tiles 88 rather than within the program summary panel 108 (Col. 8, lines 51-53).

Thus, *Lawler, et al.* merely discloses displaying icons within a program tile 88. Nothing in *Lawler, et al.* shows, teaches or suggests image data representing video images of programs where the video images are of reduced, less than normal size and superimposed over a displayed program as claimed in claims 40, 92, 105, 113 and 121. Rather, *Lawler, et al.* only discloses displaying icons within a program tile.

Additionally, *Lawler, et al.* appears to disclose a program grid 80, a display date panel 104, a current date and time panel 106 and a program summary panel 108. In an exemplary display screen 78, the current date and time panel 106 is superimposed over a lower portion of the display. A program summary panel 108 preferably provides additional information about the program identified by the focus frame 102, and is displayed on the right side of the video display screen 46 (Col. 8, lines 20-34).

Thus, nothing in *Lawler, et al.* shows, teaches or suggests superimposing over a displayed program, video images of reduced, less than normal size as claimed in claims 40, 92, 105, 113 and 121. Rather, *Lawler, et al.* only discloses superimposing the current time and date panel (text) over the display.

*Marshall, et al.* appears to disclose a tuner output or base programming signal 23 has superimposed thereon a scroll information picture image signal 27 from a digital video board 21 in a ganlock signal combiner or overlayer 29. The combined scroll and TV picture signal 31 is then displayed on a video signal display device such as a display screen 33 of the viewer's television (Col. 2, lines 48-54).

Thus, *Marshall, et al.* merely discloses scrolling text superimposed over a TV picture signal. Nothing in *Marshall, et al.* shows, teaches or suggests superimposing reduced size video

images of programs over a displayed program as claimed in claims 40, 92, 105, 113 and 121.

Rather, *Marshall, et al.* only discloses superimposing text over the picture signal.

A combination of *Lawler, et al.* and *Marshall, et al.* would merely suggest that in the display screen 78 of *Lawler, et al.* to superimpose the program grid 80 over a picture signal as taught by *Marshall, et al.* Thus, nothing in the combination of the references shows, teaches or suggests superimposing reduced size video images of programs over displayed programs as claimed in claims 40, 92, 105, 113 and 121. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 40, 92, 105, 113 and 121 under 35 U.S.C. § 103.

Claims 41-52, 57-59, 93-98, 106-110, 112, 114-118, 120 and 122-126 recite additional features. Applicants respectfully submit that claims 41-52, 57-59, 93-98, 106-110, 112, 114-118, 120 and 122-126 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Lawler, et al.* and *Marshall, et al.* at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 41-52, 57-59, 93-98, 106-110, 112, 114-118, 120 and 122-126 under 35 U.S.C. § 103.

Claims 53-56, 111, and 119 were rejected under 35 U.S.C. § 103 as being unpatentable over *Lawler, et al.*, in view of *Marshall, et al.* and further in view of *Hendricks, et al.* (U.S. Patent No. 5,600,364). Claims 91 and 104 were rejected under 35 U.S.C. § 103 over *Lawler, et al.* in view of Official Notice.

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in the primary reference to *Lawler, et al.* and/or *Marshall, et al.* show, teach or suggest the primary features as claimed in the independent claims, Applicants respectfully submit that the combination of the primary reference(s) with the secondary reference to *Hendricks, et al.* or Official Notice will not overcome the deficiencies of the primary reference(s). Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 53-56, 91, 104, 111 and 119 under 35 U.S.C. § 103.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicants respectfully request that the Examiner enters this amendment for purposes of appeal.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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